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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Schofield

Application No.: 09/931,643

Filed: 08/15/2001

Title: Optical Switch Router

Attorney Docket No.: 13071BAUS02U 120-173

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Group Art Unit: 2633

Examiner: Leing

RESPONSE AFTER FINAL

Dear Sir:

In response to the Final Office Action of May 10, 2004, please amend the application as follows.

REMARKS

Reconsideration and further examination is respectfully requested. Claims 1-52 are currently pending in this application.

Rejections under 35 U.S.C. §102(e)

Claims 1-5, 7-11, 13-22, 24-28 and 30-34 were rejected under 35 U.S.C. §102(e) as being anticipated by Kirby (U.S. 6,647,208) B1.

Kirby:

Kirby describes, at lines 27-39:

"...based on the core network topology, hybrid switch circuits communicate amongst each other and peripheral nodes over at least a first dedicated wavelength to establish a flow path and assign a wavelength to be used for routing optical data signals. Each hybrid